

**IN THE CLAIMS**

1. (Canceled)

2. (Currently Amended) A transmission device comprising:

a data receiver configured to receive a first part of a content file transmission, and an indication of payment parameters required for exploiting content of the content file transmission in a distributed peer-to-peer network;

a service logic for grouping the first part of the content file transmission and subsequent parts of the content file transmission as a communications flow in the distributed peer-to-peer network;

a payment logic for determining the payment parameters of the content file transmission in the distributed peer-to-peer network according to the indication of payment parameters, wherein the payment logic offers the option of billing payment to a network access provider of a subscriber;

a switching apparatus for transporting the first part and subsequent parts of the content file transmission to a communications port according to the communications flow determined by the service logic in the distributed peer-to-peer network; and

a data transmitter to transmit a payment authorization request to a payment receiver.

Claim 3. (Currently Amended) The transmission device ~~method of billing~~ according to claim ~~[[1]]~~ 2, further comprising:

~~recognizing a transaction in~~ a preferred transporter for transmitting the content  
file transmission; and

~~transmitting, from wherein~~ the preferred transporter recognizes the transmission  
of a content file transmission and transmits [[,]] an offer to bill a network access provider  
to the subscriber.

Claim 4. (Currently Amended) The transmission device ~~method of billing~~ according  
to claim 3, further comprising:

an authentication feature at the preferred transporter for automatically  
authenticating a subscriber at the preferred transporter by using a machine address of  
the subscriber's modem and binding it to a particular instance of at least one selected  
from a group consisting of a dynamic IP address and an authenticated subscriber  
identifier.

Claim 5. (Currently Amended) The transmission device ~~method of billing~~ according  
to claim 4, ~~further comprising:~~

wherein the authentication feature is configured to automatically authenticate  
~~authenticating~~ a subscriber at the preferred transporter by using a machine address of  
the subscriber's modem and bind ~~binding~~ it to a particular instance of both a dynamic IP  
address and an authenticated subscriber identifier.

Claim 6. (Currently Amended) The transmission device ~~method of billing~~ according  
to claim 3, further comprising:

a billing feature for billing a subscriber for network access provider charges and for payment requests from a content provider.

Claim 7. (Currently Amended) The transmission device ~~method of billing~~ according to claim ~~[[1]]~~ 2, wherein the preferred transporter is configured to ~~further comprising:~~

~~receiving~~ receive the payment request at a preferred transporter;

~~interpreting~~ interpret a content tag of the content file transmission;

~~sending~~ send a request from the preferred transporter to a network access provider; and

~~identifying~~ identify a subscriber; and

~~— billing the subscriber.~~

Claim 8. (Currently Amended) The transmission device ~~method of billing~~ according to claim 3,

wherein the content provider is an online merchant; and

wherein the preferred transporter is capable of arbitrating between multiple online merchants, multiple payment gateways, and multiple network access providers.

Claim 9. (Currently Amended) The method of billing according to claim 8, ~~further comprising:~~

~~billing~~ wherein the billing feature is configured to bill for microtransactions.

Claim 10. (Currently Amended) The transmission device ~~method of billing~~ according to claim 8, further comprising:

an account feature for pre-establishing accounts for online merchants with a network access provider.

Claim 11. (Currently Amended) The transmission device ~~method of billing~~ according to claim 10, ~~further comprising~~:

wherein the preferred transporter is configured to provide ~~providing~~ preferred transporter service to pre-established accounts.

Claim 12. (Currently Amended) The transmission device ~~method of billing~~ according to claim ~~[[1]]~~ 2, wherein the content file transmission is a media content file with corresponding license requirements and business rule requirements, the device ~~method~~ further comprising:

~~automatically interacting with~~ a database to authenticate content requestor information and to determine network access provider information;

~~generating a bill for the content transmission with~~ a payment server, wherein the server is one selected from a group consisting of a server associated with the content transmission and a payment server aggregation point;

wherein the service logic is configured to automatically enforce ~~enforcing~~ license requirements and business rule requirements including payment requirements for playback of the media content.

Claim 13. (Currently Amended) The transmission device ~~method of billing~~ according to claim 12, further comprising:

~~aggregating generated bills;~~

~~—providing wherein the billing feature is configured to provide~~ billing information to the network access provider in at least one of the formats from a group consisting of real time and periodic aggregated billing information.

Claim 14. (Currently Amended) The transmission device ~~method of billing~~ according to claim 3, ~~further comprising:~~

~~—presenting wherein the billing feature is configured to present~~ the offer to bill the network access provider to the subscriber as at least one from a group consisting of the only payment option, the default payment option, and one of a plurality of payment options.

Claim 15. (Currently Amended) The transmission device ~~method~~ according to claim [[1]] 2, wherein the service logic is configured to receive an indication of transport parameters associated with the content file transmission in the distributed peer-to-peer network and to transmit the content file transmission in accordance with the transport parameters, wherein the transport parameters include ~~includes~~ at least one from a group consisting of an exclusion of usage fees, an inclusion of usage fees, a byte cap restriction, the removal of a byte cap restriction, a decreased bandwidth, and an increased bandwidth.